

ANNEX AAA

ASSISTANCE WITHOUT A PRESIDENTIAL DECLARATION

A. PURPOSE

Agencies of the Federal government can make available a wide variety of assistance to supplement the efforts and resources of State and political subdivisions when natural or man-made conditions threaten community health, safety or property. This annex discusses Federal programs that can provide assistance when conditions are not severe enough to warrant a Presidential declaration. Also described are programs, which help the State and its political subdivisions, address the controlling or modifying of floods and other hazards. The programs described have been divided into three categories: Mitigation; Disaster Response Recovery and Community Preparedness; and Emergency Services.

B. MITIGATION

The objective of mitigation programs is to reduce the vulnerability of people and property to the destructive forces of natural events and human actions. Temporary measures can be instituted in emergency situations. Permanent measures employ both structural and non-structural means to mitigate hazards or their effects.

1. Flood Control Projects: U.S. Army Corps of Engineers

a. Authority:

Flood Control Act of 1948, Section 205, PL 80-858, as amended

b. Type of Assistance:

Design and construction of local flood control projects not specifically authorized by Congress.

c. Eligible Applicants:

The State, political subdivisions and other local agencies established under State law with full authority and ability to undertake required legal and financial responsibilities.

d. Requirements:

Applicants are responsible for acquiring the necessary lands, easements and right-of-ways; providing project costs in excess of Federal costs limitations; preventing future encroachments that could interfere with the project's proper functioning; and maintaining completed projects.

e. Application Procedure:

Applicants submit a formal letter of intent to provide all required local participation to one of the following Corps District Engineers;

Baltimore District
P.O. Box 1715
Baltimore, MD 21203

Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222

Huntington District
502 8th St.
Huntington, WV 25701

2. Bank Protection: U.S. Army Corps of Engineers

a. Authority:

Flood Control Act of 1946, Section, 14 PL 79-526, as amended

b. Type of Assistance:

Design and construction of bank protection projects to safeguard highways, highway bridges, essential public works, churches, hospitals, schools and other non-profit public facilities endangered by flood-caused erosion.

c. Eligible Applicants:

The State, political subdivisions, or other local agencies established under State law with full authority and ability to undertake required legal and financial responsibilities.

d. Requirements:

Projects must be complete within themselves and show favorable cost-benefit ratios. The Federal contribution to projects is limited to \$1,000,000. Applicants are responsible for lands, easements, rights-of-way, utility relocations and project maintenance.

e. Application Procedure:

Applicants submit a formal letter stating clear intent to provide all required local participation to one of the following District Engineers;

Baltimore District
P.O. Box 1715
Baltimore, MD 21203

Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222

Huntington District
502 8th St.
Huntington, WV 25701

3. Snagging and Clearing for Flood Control: U.S. Army Corps of Engineers
 - a. Authority:

Flood Control Act of 1937, Section 2 , PL 79-14, as amended
 - b. Type of Assistance:

Design and construction of snagging and clearing projects for navigable waters and their tributaries to reduce potential flood damage.
 - c. Eligible Applicants:

The State, political subdivisions, or other local agencies established under State law with full authority and ability to undertake required legal and financial responsibilities.
 - d. Requirements:

Federal participation is limited to \$500,000. Applicants must secure all lands, easements and right-of-ways; maintain completed projects; and prevent interference with the project's functioning.
 - e. Application Procedure:

Applicants submit a formal letter indicating clear intent to provide all required local participation to one of the following District Engineers;

Baltimore District
P.O. Box 1715
Baltimore, MD 21203

Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222

Huntington District
502 8th St.
Huntington, WV 25701

4. Watershed Protection Loans: U.S. Department of Agriculture
 - a. Authority:

Watershed Protection and Flood Prevention Act of 1954, Section 8 ,PL 83-566, as amended
 - b. Type of Assistance:

Loans to help local sponsors provide the local share of the cost of watershed works or improvement for flood prevention, irrigation, drainage, water quality management, sedimentation control, fish and wildlife development, public water based recreation, and water storage.
 - c. Eligible Applicants:

Sponsoring local organizations not organized for profit (for example, soil and water conservation districts) with authority under State law to obtain, give security for, and raise revenues to repay loans.
 - d. Requirements:

Applicant must operate and maintain facilities financed with the loan.
 - e. Application Procedures:

Prospective applicants can obtain assistance in preparing and submitting project proposals for review by State agencies and local governments from the appropriate West Virginia Regional Planning and Development Council.
5. Emergency Watershed Protection: U.S. Department of Agriculture
 - a. Authority:

Watershed Protection and Flood Prevention Act, PL 83-566, PL 84-1018, PL 85-624, PL 85-865, PL 86-468, PL 86-545, PL 87-170, PL 87-703, PL 89-337, PL 90-361, PL 81-516, Section 216.

- b. Type of Assistance:

Technical services to determine eligibility and to plan needed measures.
Financial assistance to construct approved measures.
 - c. Eligible Applicants:

Any State agency, county (or group of counties), municipality, town, soil or water conservation district, flood prevention or control district or any other non-profit agency with authority under State law to carry out, maintain and operate watershed improvement works.
 - d. Application Procedures:

Contact the local Natural Resources Soil Conservation Service (NRCS) Office.
6. Resource Conservation and Development: U.S. Department Of Agriculture
- a. Authority:

Food and Agricultural Act of 1962, PL 87-703, PL 91-343, PL 74-46, PL 92-419.
 - b. Type of Assistance:

Grants and technical assistance to aid public agencies in implementing long-range resource conservation and development programs, including flood control projects.
 - c. Eligible Applicants:

Public agencies and non-profit organizations having legal authority to plan, install, operate and maintain community projects benefiting the public.
 - d. Application Procedures:

Contact the local Soil Conservation Service Office.
7. Flood Prevention for Forest Lands: U.S. Department of Agriculture
- a. Authority:

Flood Control Act of 1950, PL 81-516, Section 216

b. Type of Assistance:

Technical assistance in planning and applying measures to protect public health and safety, reduce flood hazard and control sediment damages from forest and related lands when existing local, State and Federal programs do not provide adequate facilities and funds for immediate protective action. Also provides assistance in preparing request for Section 216 funds for emergency treatment of watersheds impaired by fire, flood, earthquake or other natural disasters.

c. Eligible Applicants:

State and local governments.

d. Application Procedures:

Submit letter of request to:

Regional Forester
U.S. Forest Service, Region III
6816 Market St.
Upper Darby, PA 19802

8. Flood Plain Management: U.S. Army Corps of Engineers

a. Authority:

Flood Control Act of 1960, Section 206, PL 86-645, as amended

b. Type of Assistance:

Technical assistance in the identification of flood-prone areas, potential losses and the flood hazard of proposed building sites; guidance in land-use management to prevent flood damage. The District Office sets annual funding limitations.

c. Eligible Applicants:

State, political subdivisions and other public organizations; interested individuals may write for available information.

d. Application Procedures:

Submit letter documenting need for assistance to one of the following District Engineers:

Baltimore District
P.O. Box 1715
Baltimore, MD 21203

Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222

Huntington District
502 8th St.
Huntington, WV 25701

9. National Flood Insurance Program: Federal Emergency Management Agency

a. Authority:

Housing and Urban Development Act of 1968, Title XIII, PL 90-488, 82 stat. 476, 572 as amended; 42 U.S.C. 4011, 4127; 83 Stat. 39, and Flood Insurance Protection Act of 1973, PL 93-234.

b. Type of Assistance:

Insurance at a reasonable rate often subsidized by the Federal Government, for buildings and their contents.

c. Eligible Applicants:

Property owners in communities which are participating in the National Flood Insurance Program.

d. Requirements:

NFIP coverage is available to any owner of property (a building or its contents), including condominium associations, and builders of a building in the course of construction located in a participating community which has been approved for the sale of flood insurance. Condominium unit owners may purchase contents coverage on the contents of their unit. Owners of residential condominium units may purchase building coverage (as though the unit is a single-family dwelling) if the condominium owners association does not purchase adequate flood insurance. Under the program, tenant(s) communities may also insure their personal property against flood loss.

e. Application Procedures:

Contact local insurance agent for information and application.

10. Flood Mitigation Assistance (FMA): FEMA

a. Authority:

Section 1366 of the National Flood Insurance Act of 1968, as amended;
National Flood Insurance Reform Act of 1994; 44 CFR, Part 78.

b. Type of Assistance:

FMA may be used both to enhance State mitigation programs and to directly assist communities to reduce flood losses.

c. Eligible Applicants:

State or communities that need support for flood mitigation planning, implementation of flood mitigation projects, and technical assistance by States to communities.

d. Requirements:

States need to have a process for prioritization, since funding for community plans and projects is limited. Applications selected for submission should have the highest potential for reducing losses and substantial damage occurrences.

e. Application Procedure:

Contact State Office of Emergency Services

11. Community Assistance Program – State Support Services Element (CAP-SSSE): FEMA

a. Authority:

National Flood Insurance Act of 1968, as amended;
Flood Disaster Protection Act of 1973

b. Type of Assistance:

Identify, prevent, resolve flood plain management issues, and to reduce flood hazards.

c. Eligible Applicants:

Communities participating in the NFIP.

d. Requirements:

CAP-SSSE funds may only be used to conduct flood mitigation and related technical assistance activities that support the goals of the NFA and the partnership goals contained in the Performance Partnership Agreement (PPA).

e. Application Procedure:

Contact State Office of Emergency Services

12. Mitigation Assistance Program (MAP): FEMA

a. Authority:

The Earthquake Hazards Reduction Act of 1977, as amended by Public Law 101-614; The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended; 44 CFR Part 361.

b. Type of Assistance:

Provides financial and technical assistance to States to create and maintain comprehensive State hazard mitigation programs, which will enable the State to coordinate all hazard mitigation activities and to provide technical and financial assistance to communities and local governments.

c. Eligible Applicants:

States that will use the funds for mitigation projects and activities identified in the annual Cooperative Agreement (CA).

d. Requirements:

The State will designate a qualified full-time State Hazard Mitigation Officer (SHMO), who will assume the responsibilities of the State's mitigation activities.

e. Application Procedure:

Contact State Office of Emergency Services.

13. Fire Accident Analysis: US Department of Commerce

a. Authority:

National Bureau of Standards Organic Act, as amended by PL 90-259.

b. Type of Assistance:

Detailed on-site studies of uncontrolled fires or the remains of fires by teams of experienced fire investigators, scientists and engineers to determine the causes, character of, and ways of avoiding serious fire accidents.

c. Eligible Applicants:

Elected or appointed State and local officials concerned with fire disasters and authorized to request such assistance.

d. Application Procedure:

Contact the National Bureau of Standards.

C. DISASTER RESPONSE RECOVERY AND COMMUNITY PREPAREDNESS

This section describes programs designed to improve State and local disaster response capabilities through planning, training, personnel, information and equipment assistance.

1. Comprehensive Planning Assistance: U.S. Dept. of Housing and Urban
Development

a. Authority:

Housing Act of 1954, Section 701, PL 83-560, as amended

b. Type of Assistance:

Grants to strengthen planning and decision-making capabilities of chief executives of state, regional and local agencies to promote more effective use of natural, economic and physical resources. Disaster mitigation and recovery planning are eligible activities.

c. Eligible Applicants:

State agencies designated by the Governor; counties; cities; regional and local planning agencies, including councils of governments, local development districts, economic development districts; and localities which suffered a major disaster.

d. Requirements:

Applicants must submit grant proposals directly to US Department of Housing and Urban Development.

2. Forecasts and Warnings: National Weather Service, NOAA
 - a. Authority:

15 USC 313, Reorganization Plan No. 4, 1970; Disaster Relief Act of 1974 , PL 93-288
 - b. Type of Assistance:

Public forecasts and warnings of hazardous weather phenomena and floods, and training programs on disaster safety rules.
 - c. Eligible Applicants:

Anyone
 - d. Requirements:

Special service outlets involve a user fee, and some are restricted to government offices.
 - e. Application Procedure:

Applicants submit a verbal or written request for information to the nearest National Weather Service Office.
3. Donation of Federal Surplus Personal Property: General Services Administration
 - a. Purpose of Assistance:

To transfer surplus personal property to the States for distribution to non-Federal public agencies and other specifically designated recipients.
 - b. Type of Assistance:

Personal property that may be available under this program includes office machines and supplies, furniture, hardware, motor vehicles, boats, airplanes, construction equipment, and many other items.
 - c. Eligible Applicants:

Public agencies, Indian tribes, public airports, non-profit educational and/or health activities, educational activities of special interest to the armed services.

d. Application Procedures:

Contact State surplus property agencies, armed services education activities, national organizations, or Federal Aviation Administration Regional Offices.

4. National Dam Safety Program (NDSP): FEMA

a. Authority:

The Water Resources Development Act of 1996, PL 104-303, Section 215, The National Dam Safety Act.

b. Type of Assistance:

Grants to reduce the risks to life and property from dam failure, through the establishment and maintenance of an effective dam safety program.

c. Eligible Applicants:

States that have either new or existing dams.

d. Requirements:

Grant assistance funds may only be awarded to the West Virginia Division of Environmental Protection, Dam Safety Office and will not be pooled with other grant funds without the recommendation of the National Dam Safety Review Board and by approval by the FEMA III Regional Director.

5. Disaster Preparedness Improvement Grant (DPIG): FEMA

a. Authority:

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, Section 201.

b. Type of Assistance:

Grants to encourage the maintenance and improvement of disaster preparedness plans and activities.

c. Eligible Applicants:

State and local governments

d. Requirements:

The funds granted under the DPIG program must be used for improving, maintaining, and updating State and local government disaster assistance plans including evaluation of natural hazards and development of the programs and actions required to mitigate such hazards.

e. Application Procedure:

Contact the State Office of Emergency Services.

6. State and Local Assistance (SLA): FEMA

a. Authority:

Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended. Executive Order 12148 of July 20, 1979, as amended.

b. Type of Assistance:

Funding helps to maintain State and local governments' plans, facilities, equipment, training, and exercising.

c. Eligible Applicants:

State and local emergency services/management organizations.

d. Requirements:

State must submit an approvable Administrative Plan or the Performance Partnership Agreement (PPA) and the standard assurances.

e. Application Procedure:

Contact the State Office of Emergency Services.

7. Superfund Amendment and Reauthorization Act (SARA), Title III: FEMA

a. Authority:

Superfund Amendments and Reauthorization Act, Title III, Section 305(a).

- b. Type of Assistance:

Support programs which are designed to improve emergency planning, preparedness, mitigation, response, and recovery capabilities with special emphasis on emergencies associated with hazardous chemicals.
 - c. Eligible Applicants:

State and local governments; and university-sponsored programs.
 - d. Requirements:

Grants may not exceed 80% of the cost of the program; remaining costs must come from non-Federal sources. Priority should be given to hazardous materials response, planning and prevention training.
 - e. Application Procedure:

Contact State Office of Emergency Services.
8. Hazardous Materials Emergency Preparedness (HMEP) Grant Program: USDOT
- a. Authority:

Federal Hazardous Materials Transportation Law, 49 U.S.C. Section 5101 et. Seq.
 - b. Type of Assistance:

Planning and Training grants to help local governments carry out Emergency Planning and Community Right-to-Know activities (SARA Title III) throughout the state.
 - c. Eligible Applicants:

HMEP Planning Grants: Eligible LEPCs.
HMEP Training Grants: Used by the WVSERC to provide Hazardous Materials (HAZMAT) First Responder Training to public sector firefighters, emergency medical and law enforcement personnel. Other public sector personnel with HAZMAT response requirements are also eligible for the training.

d. Requirements:

LEPCs must meet eligibility requirements then apply to the WVSERC for planning grant. Training grant funds are made available to qualified HAZMAT trainers by the WVSERC.

9. State Emergency Response Commission (SERC) Program: WVSERC

a. Authority

WV Code, Chapter 15-5A-5(k)
Legislative Rules, Title 55 of the WV Emergency Planning and Community Right-to-Know Act.

b. Type of Assistance:

Grants to help local governments administer the Emergency Planning and Community Right-to-Know Act.

c. Eligible Applicants:

Local Emergency Planning Committees (LEPC) throughout the state of West Virginia deemed eligible by the WVSERC. Eligibility requirements are established by the WVSERC and are outlined in the WVSERC Grant Application.

d. Requirements:

Eligible LEPCs apply to the WVSERC to receive these grants.

D. EMERGENCY SERVICES

The programs described in this section provide specialized assistance to State and local authorities once an emergency/disaster has occurred. They are designed to supplement state and local efforts to protect the public from the effects of an emergency and to identify those killed in a disaster.

1. Contaminated Food and Drugs: U.S. Department of Health and Human Services/
U.S. Public Health Service Food and Drug Administration

a. Authority:

Food, Drug and Cosmetic Act of 1930, Public Health Services Act, as amended.

b. Type of Assistance:

Through the Coordinated Preparations Plan for Emergencies (COPE), in which West Virginia is involved, advice, technical information, assistance, and expert personnel can be provided to establish public health controls and to protect the general public from contaminated and unsafe food and drugs.

c. Eligibility:

State and local health authorities.

d. Point-of-Contact

Inquiries can be directed to the Emergency and Investigational Operations Office located at the headquarters of the Food and Drug Administration in Rockville, MD (301)827-5653/5655. The Regional Point-of-Contact can be reached at the Baltimore District Office of the Food and Drug Administration at (410)962-3590.

2. Radiological Emergency Assistance: U.S. Department of Energy

a. Authority:

Atomic Energy Act of 1954, PL 83-703, as amended, and Energy Reorganization Act of 1974 , PL 93-438

b. Type of Assistance:

Provision of specialized services, advisory services, counseling and dissemination of technical information to assist in responding to incidents involving loss of control over radioactive materials and supporting efforts to protect public health and property.

c. Eligible Applicants:

Any person or organization having knowledge of an incident believed to involve ionizing radiation or radioactive material hazardous to health and safety.

d. Application Procedure:

Application is made to the Department of Energy through the Office of Emergency Services or Department of Health, Bureau of Industrial Hygiene.

3. Vector Control: U.S. Department of Health and Human Services, Public Health Service
 - a. Authority:

Public Health Service Act, 42 USC 243
 - b. Type of Assistance:

Advice and technical assistance to prevent the spread of communicable diseases by disease-carrying animals or insects in the aftermath of a disaster.
 - c. Eligible Applicants:

State and local health/public health authorities (the latter coordinated through the State Department of Health).
 - d. Point-of-Contact:

Contact should be made through the State Department of Health and Human Resources to the Centers for Disease Control and Prevention's Emergency Response Coordination Group (770)488-7100 –24 hours. The Emergency Coordinator at the Public Health Service Region III regional office in Philadelphia should also be informed if a significant public health emergency is existent or anticipated (215)861-4635.
5. Victim Identification: Federal Bureau of Investigation
 - a. Authority:

Act of September 6, 1966, PL 89-554, PL 92-544, Title II.
 - b. Type of Assistance:

Fingerprint identification of disaster victims.
 - c. Eligible Applicants:

Any authorized law enforcement agency, State or other governmental agency or officials.
 - d. Application Procedure:

Application will be made through the West Virginia State Police to the Federal Bureau of Investigation.